



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re U.S. Utility Patent Application of

Butz, Stephen

Art Unit: 2163

Appln. No. 09/976,481

Examiner: Charles Edward Lu

Filed: 12 October 2001

For: SOFTWARE SYSTEM FOR QUANTITATIVE MEASUREMENT AND
ACCOUNTABILITY FOR SOCIAL SERVICES

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Re: Petition Under 37 CFR § 1.181(a) Requesting Withdrawal Of The Holding Of
Abandonment

* * *

Date: June 9, 2006

Attention: Office of Petitions

To the Honorable Commissioner for Patents
Mail Stop Petition
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply in a timely manner to an Office Action dated 03 November 2005, pursuant to MPEP 700. The day of abandonment being 04 February 2006, the day after the expiration date set for filing such a Response. THE APPLICANT HEREBY PETITIONS FOR Withdrawal OF THE HOLDING OF ABANDONMENT.

As grounds therefore the undersigned submits that a proper Response was timely filed. The undersigned prepared a Response and instructed his administrative assistant to file it by facsimile (with mail confirmation) to the art unit facsimile number listed in the Official Action, which was 703-872-9306. The administrative assistant Dimitri Michel (who's Declaration is attached) did so, but found that facsimile number to be non-functional. Mr. Michel called the art unit and was told that they had moved to Alexandria and was provided with a new facsimile number 571-272-8594. Mr. Michel prepared another cover sheet and successfully faxed the Amendment to the new facsimile number (see Declaration of Michel, Appendix A). All pages of the facsimile and the cover sheet are shown as having been successfully and timely transmitted on January 19, 2006. Mr. Michel followed up with the Examiner by phone on April 5, 2006, and was informed that the Examiner had not received the Amendment. The Examiner requested a duplicate copy and this was duly faxed on April 5, 2006 (see Declaration of Michel, Appendix B). Mr. Michel followed up again on May 10, 2006 and was informed that the Amendment had not been received ostensibly because the 8594 number was not a central fax number. At this juncture the Examiner provided a central facsimile number 571-273-8300. Mr. Michel again faxed the Amendment to the central facsimile number 571-273-8300 (see Declaration of Michel, Appendix C), and followed up the next day to ensure proper receipt and consideration. He was informed that Amendment could not be considered as timely because the January 19, 2006 transmission was not to a central fax number, but apparently the Examiner's personal fax number. Since Mr. Michel followed proper procedure, trying unsuccessfully to transmit to the art unit facsimile number listed in the Official Action, and relying instead on advice from Art Unit 2163 when he called and

discovered that that art unit had moved, retransmitting (successfully) to the provided new facsimile number 571-272-8594 it is submitted that a timely filing date of January 19, 2006 should be accorded to the filing of the Amendment, and the Applicant hereby petitions for withdrawal of any holding of abandonment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Royal W. Craig', is written over the printed name.

Royal W. Craig
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